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**COUNTY OF SAN LUIS OBISPO**  
**DEPARTMENT OF PLANNING AND BUILDING**  
**STAFF REPORT**

**Tentative Notice of Action**

<b>MEETING DATE</b> February 4, 2005 <b>LOCAL EFFECTIVE DATE</b> February 18, 2005 <b>APPROX FINAL EFFECTIVE</b> March 11, 2005	<b>CONTACT/PHONE</b> Kerry Brown, Project Manager 781-5713	<b>APPLICANT</b> Alex and Olga Benson	<b>FILE NO.</b> DRC2003-00131
<b>SUBJECT</b> A request by Alex and Olga Benson for a Minor Use Permit / Coastal Development Permit to allow for the demolition of an existing residence and commercial building and development of a new two story 4,922 square foot commercial building (2826 square foot commercial space on the first floor and 2096 square foot of storage space on the second floor). Total area of disturbance is 9375 square feet. The project includes a modification to the required parking requirements. The project is located on the southeast corner of Santa Maria Avenue and Second Street at 1300 Second Street side in the community of Los Osos, in the Estero planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2003-00131 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 4, 2004 for this project. Mitigation measures are proposed to address air quality and cultural resources and are included as conditions of approval.			
<b>LAND USE CATEGORY</b> Commercial Retail	<b>COMBINING DESIGNATION</b> Local Coastal Plan, Coastal Appealable Zone, Coastal Special Community, and Archaeologically Sensitive	<b>ASSESSOR PARCEL NUMBER</b> 038,182,001	<b>SUPERVISOR DISTRICT(S)</b> 2
<b>PLANNING AREA STANDARDS:</b> Septic Tank requirements, Limitation on Uses, and Baywood Village <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
<b>LAND USE ORDINANCE STANDARDS:</b> Setbacks, Heights, Parking Requirements, Landscape Plans, Signs <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
<b>FINAL ACTION</b> This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14 calendar day local appeal period after the administrative hearing.  The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

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EXISTING USES: Commercial building and residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Commercial Retail; undeveloped <i>East:</i> Commercial Retail; undeveloped <i>South:</i> Commercial Retail; commercial uses <i>West:</i> Commercial Retail; commercial uses	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Los Osos Community Advisory Group, Public Works, Environmental Health, Los Osos Community Services District, APCD, and the California Coastal Commission	
TOPOGRAPHY: Nearly level	VEGETATION: Grasses
PROPOSED SERVICES: Water supply: Los Osos Community Services District Sewage Disposal: Individual septic system Fire Protection: County Fire/ CDF	ACCEPTANCE DATE: September 20, 2004

## DISCUSSION

### PLANNING AREA STANDARDS:

#### Area-wide Standards

Septic Tank requirements: New development shall meet the septic tank requirements of the Regional Water Quality Control Board. *The Regional Water Quality Control Board imposed a prohibition on septic system discharge after November 1, 1988. The new commercial building will not increase septic discharge at the site. The existing septic system currently serves both the residence and the commercial building. The new commercial structure will produce less septic discharge.*

#### Commercial Retail Standards:

Limitation on Use - Baywood Park: Uses are limited to those allowed by Table O except multi-family and single family dwellings; auto, mobile-homes, and vehicle dealers, and supplies, food and kindred products. *Uses are not proposed as part of this project however; the project will be conditioned to meet this standard.*

Baywood Village: New commercial development shall meet the following standards

- Height shall be limited to 25 feet. *The proposed project has been conditioned to meet this requirement.*
- Low monument signs (maximum 8 feet in height not to exceed 20 square feet) shall be used. *The proposed project has been conditioned to meet this requirement.*
- All utility lines shall be under-grounded from property lines to the commercial structure. *The proposed project has been conditioned to meet this requirement.*

### COMBINING DESIGNATIONS:

#### Section 23.07.120 - Local Coastal Program

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

*Section 23.07.104 - Archaeologically Sensitive Areas*

The project site is within a mapped Archaeologically Sensitive Area. Due to limited visibility (from structures and pavement) a Phase I surface survey was not completed on the site, however a Cultural Resources records search (Parker and Associates, August 23, 2004) was completed. The records search found that there are known archaeological sites within 500 feet of the project site. To ensure all resources will be protected; monitoring has been required as a condition of approval.

*Section 23.01.043 - Appeals to the Coastal Commission (Coastal Appealable Zone)*

The project is appealable to the Coastal Commission because the site is proposed development between the ocean and the first public road and within 300 feet of the mean high tide line.

*Other Combining Designations: Coastal Special Community*

The project was reviewed for conformance with the applicable sections of the Coastal Zone Land Use Ordinance and was determined to be consistent. The project requires a Minor Use Permit because it is appealable to the California Coastal Commission, and is located in a Coastal Special Community (see policy discussion).

**ORDINANCE COMPLIANCE**

The subject parcel is designated Commercial Retail (CR) with Coastal Special Community combining designation in the County's General Plan. Although no uses are proposed at this time, allowable uses in the commercial Retail category include: general merchandise, offices, and eating and drinking places. Other Coastal Zone Land Use Ordinance standards are outlined in the table below:

Standard	Allowed/Required	Proposed
Minimum Site Area	No minimum for retail and service uses	9375 square feet
Setbacks		
Front (Second Street)	10	29
Corner-side (Santa Maria)	10	10
Rear	0	46
Height	25	25
Parking	No uses proposed	10 spaces on-site 6 spaces off-site
Signs	20 square feet	20 square feet

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*Fencing, Landscaping and Lighting*

A final landscape plan is required prior to issuance of building permits. The plan shall include Fencing, Landscaping, and Lighting pursuant to Sections 23.04.180 through 23.04.190 of Title 23.

*Parking Requirements*

No uses are proposed at this time, however 10 spaces are provided on-site (4 of the spaces are located in the front setback). Six parking spaces are located off-site. The applicant has proposed to modify parking standards by providing 10 spaces on site with 4 in the front setback and 6 spaces off-site for a total of 16 spaces. The off-site parking spaces will be on Santa Maria Street fronting the commercial structure. Staff is recommending that the parking modification be approved since the parking in the front setback is consistent with the parking design (angled parking) on Second Street in the Baywood Commercial area. Staff also supports modifying the parking requirements to allow the applicant to use the off-site parking along the property frontage on Santa Maria Street subject to approval by Public Works. The community of Los Osos supports the use of on-street parking in Commercial Retail and Office Professional categories as reflected in the Board of Supervisors-approved Estero update (not yet approved by the Coastal Commission).

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies, the most relevant policies are discussed below.

**Public Works:**

*Policy 1: Availability of Service Capacity applies to the project. The applicant has demonstrated that adequate public service capacities are available to serve the proposed project by submitting a water will-serve letter.*

**Coastal Watersheds:**

*Policy 7: Siting of new development: The proposed project is consistent with this policy because the new commercial building will be located on three existing lots of record in the Commercial Retail category on a slope less than 20 percent.*

*Policy 8: Timing of new construction: The proposed project is consistent with this policy because the project is required to have an erosion and sedimentation control plan and all slope and erosion control measures will be in place before the start of the rainy season.*

*Policy 10: Drainage Provisions: The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the commercial structure will not increase erosion or runoff.*

**Archeology:**

*Policy 4: Preliminary Site Survey for Development within Archaeologically Sensitive Areas applies to the project. The Records search conducted for the parcel by Parker and Associates, found that there are known archaeological sites within 500 feet of the project site. To ensure all resources will be protected; monitoring has been required as a condition of approval.*

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**Visual and Scenic Resources:**

Policy 5: Land-form Alteration: *The proposed project is consistent with this policy because grading, earthmoving, major vegetation removal and other land-form alterations within public view corridors will be minimized*

Policy 6: Special Communities and Small-Scale Neighborhoods: *The proposed project is consistent with this policy because the development has been designed and sited to complement and be visually compatible with existing characteristics and buildings in the community. The applicant proposes to use similar materials to the buildings adjacent to the site (glass block and a rounded entry way).*

**Does the project meet applicable Coastal Plan Policies:** Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: The Los Osos Community Advisory Council was sent a referral and voted 10-0, with 1 abstention to recommend approval of the project at their December 9, 2004 meeting.

**AGENCY REVIEW:**

Public Works- Please see comments included in the attached Mitigated Negative Declaration  
Los Osos Community Services District - Please see comments included in the attached Mitigated Negative Declaration.  
California Coastal Commission - No response

**LEGAL LOT STATUS:**

The three lots of the project site were legally created by a recorded map (Town of El Morro) at a time when that was a legal method of creating lots.

Staff report prepared by Kerry Brown and reviewed by Mike Wulkan.

## EXHIBIT A - FINDINGS

### *Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 4, 2004 for this project. Mitigation measures are proposed to address Air Quality and Cultural Resources and are included as conditions of approval.

### *Minor Use Permit*

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because all future uses as conditioned will be consistent with all of the General Plan policies.
- C. As conditioned, the proposed project satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

### *Coastal Access*

- G. The project site is located between the first public road and the ocean. The project site is within an urban reserve line (Los Osos) and an existing coastal access point exists within 120 feet of the project site, therefore, the proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act.

### *Adjustments*

- H. Modification of parking standards required by Coastal Zone Land Use Ordinance Section 23.04.166, is justified because the characteristics of the immediate vicinity (the Baywood

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commercial area) does not necessitate the type of design required because the parking along Second Street is consistent with the existing Baywood commercial area and allowing the use of on-street parking for development is supported by the community and an alternative to the design standards (the use of the front setback and on-street parking) will be adequate to accommodate all parking needs generated by the use and no traffic problems will result from the proposed modification of parking standards.

*Archeological Sensitive Area*

- I. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected monitoring has been required as a condition of approval.

## EXHIBIT B - CONDITIONS OF APPROVAL

### Approved Development

1. This approval authorizes:
  - a. The demolition of an existing residence and commercial building and a new two story 4,922 square foot commercial building (2826 square foot commercial space on the first floor and 2096 square foot of storage space on the second floor). Total area of disturbance is 9375 square feet.
  - b. Maximum height is 25 feet from average natural grade.
  - c. Modification to the parking requirements to allow the use of the front setback for parking and on-street parking on Santa Maria Street.
  - d. Uses are limited to those allowed by Table O except multi-family and single-family dwellings; auto, mobile home and vehicle dealers, and supplies; food and kindred products

### Conditions required to be completed at the time of application for construction permits

#### ***Site Development***

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, and architectural elevations.
3. **At the time of application for construction permits**, submit a landscape, irrigation, and landscape maintenance plan [plans in accordance with Sections 23.04.180 through 23.04.186 of the Coastal Zone Land Use Ordinance to the Development review Section of the Planning and Building Department for review and approval. Plans shall include location, species and container size of all proposed plant materials and method of irrigation. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within 3 years of installation.
4. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

#### ***Fire Safety***

5. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of



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the California Fire Code. Provide the County Department of Planning and Building with a fire safety plan approved by County Fire/CDF.

**Services**

6. **At the time of application for construction permits**, the applicant shall provide a letter from Los Osos Community Services District stating they are willing and able to service (water) the property.
7. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

**Conditions to be completed prior to issuance of a construction permit**

**Fees**

8. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

**Environmental Mitigation**

9. **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
  - A. List of personnel involved in the monitoring activities;
  - B. Description of how the monitoring shall occur;
  - C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - D. Description of what resources are expected to be encountered;
  - E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - F. Description of procedures for halting work on the site and notification procedures;
  - G. Description of monitoring reporting procedures.
10. **Prior to issuance of the demolition permit for the commercial structure**, a certified asbestos consultant shall survey and remove any asbestos present in the structure and submit a letter with the findings to the Department of Planning and Building.

If the building is determined to be unsafe, the applicant shall submit a work plan for removal of all asbestos to the Air Pollution Control District for review and approval.

**Conditions to be completed during project construction**

11. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any

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other appropriate individuals. The applicant shall implement the mitigations as required by the Environmental Coordinator

***Building Height***

12. The maximum height of the project is 25 feet as measured from average natural grade.
- a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
  - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
  - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

**Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

***Site Development***

13. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before ***final building inspection / establishment of the use***. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.

***Fire Safety***

14. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

***Development Review Inspection***

15. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

***Environmental Mitigation - Archaeology***

16. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

**On-going conditions of approval (valid for the life of the project)**

***Signs***

17. All signs shall be consistent with the Los Osos: Commercial Retail Standard 2b sign standards.

***Utility Lines***

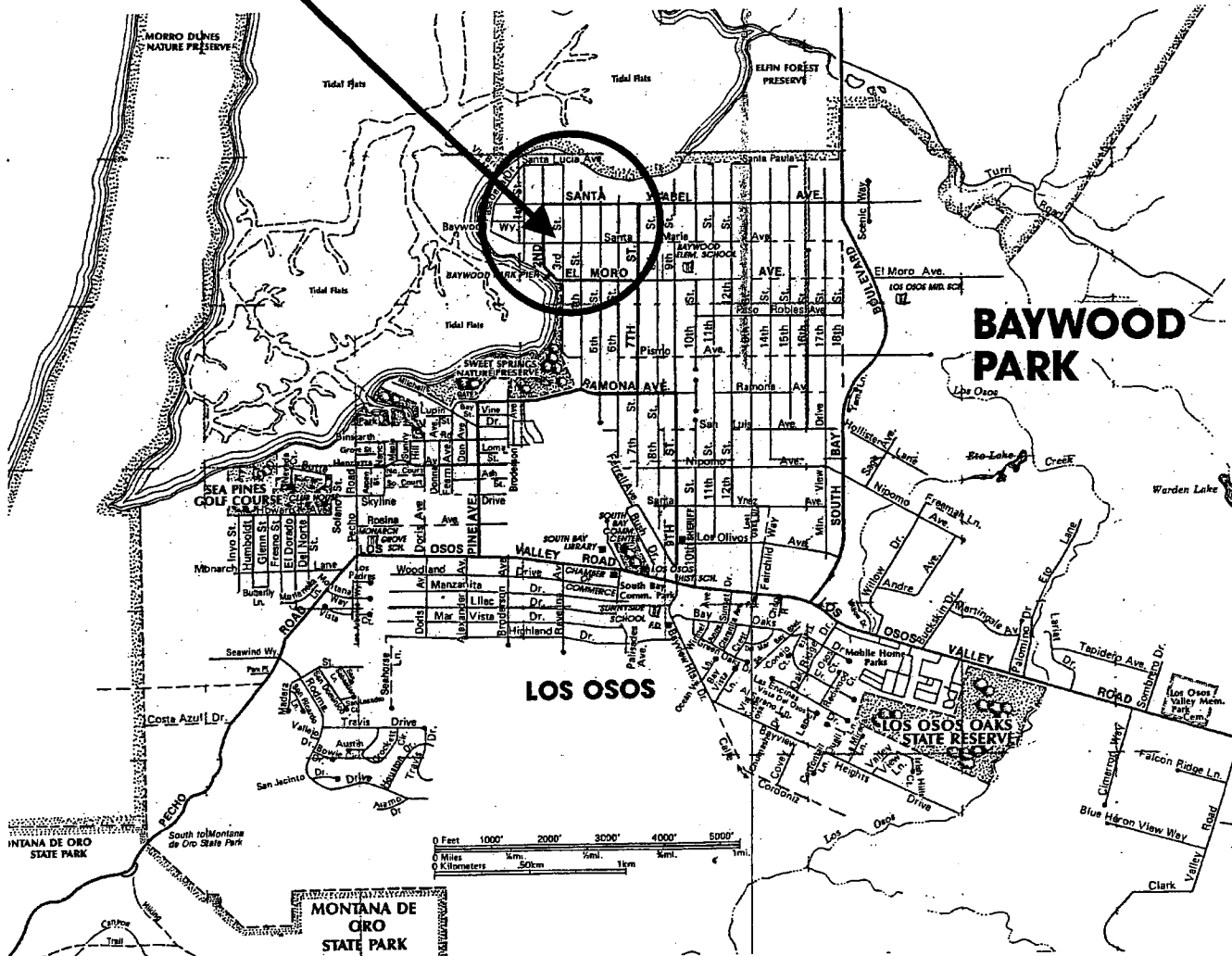
18. All utility lines shall be under-grounded from property lines to commercial structures.

***Miscellaneous***

19. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
18. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

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Site



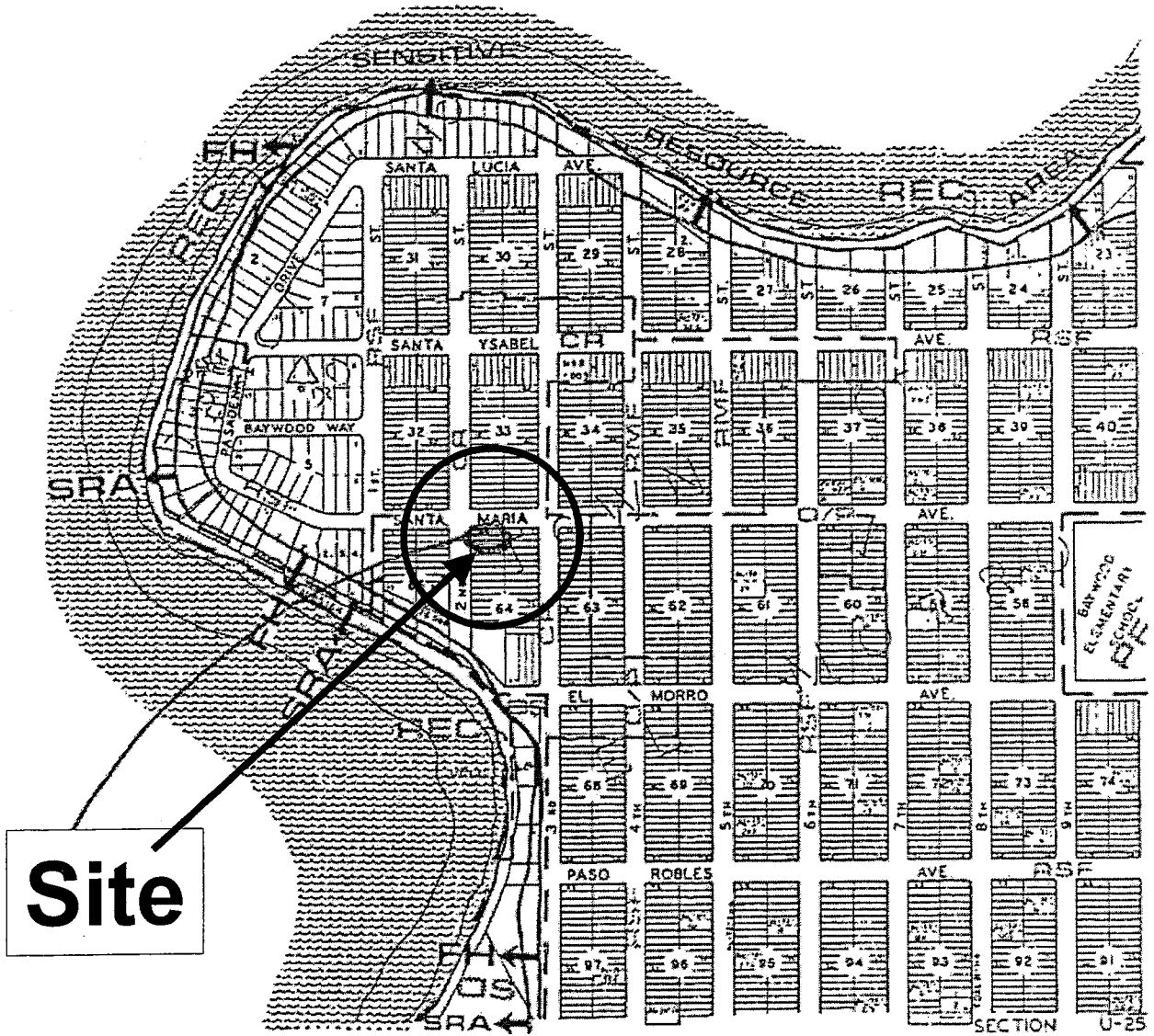
PROJECT

Minor Use Permit  
Benson/ DRC2003-00131



EXHIBIT

Vicinity Map



PROJECT

Minor Use Permit  
Benson/ DRC2003-00131

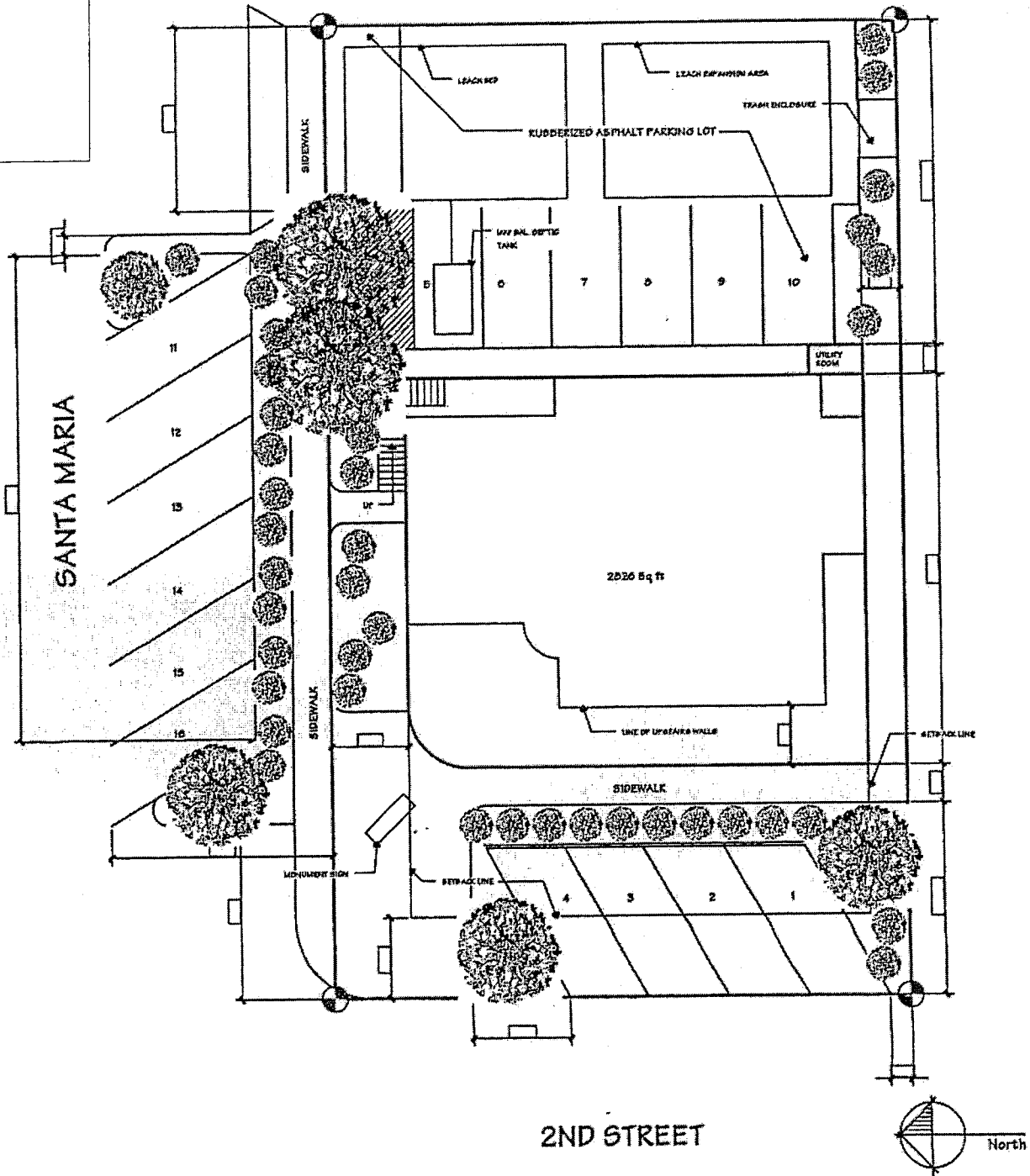


EXHIBIT

Land Use Category Map

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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



PROJECT

Minor Use Permit  
Benson/ DRC2003-00131

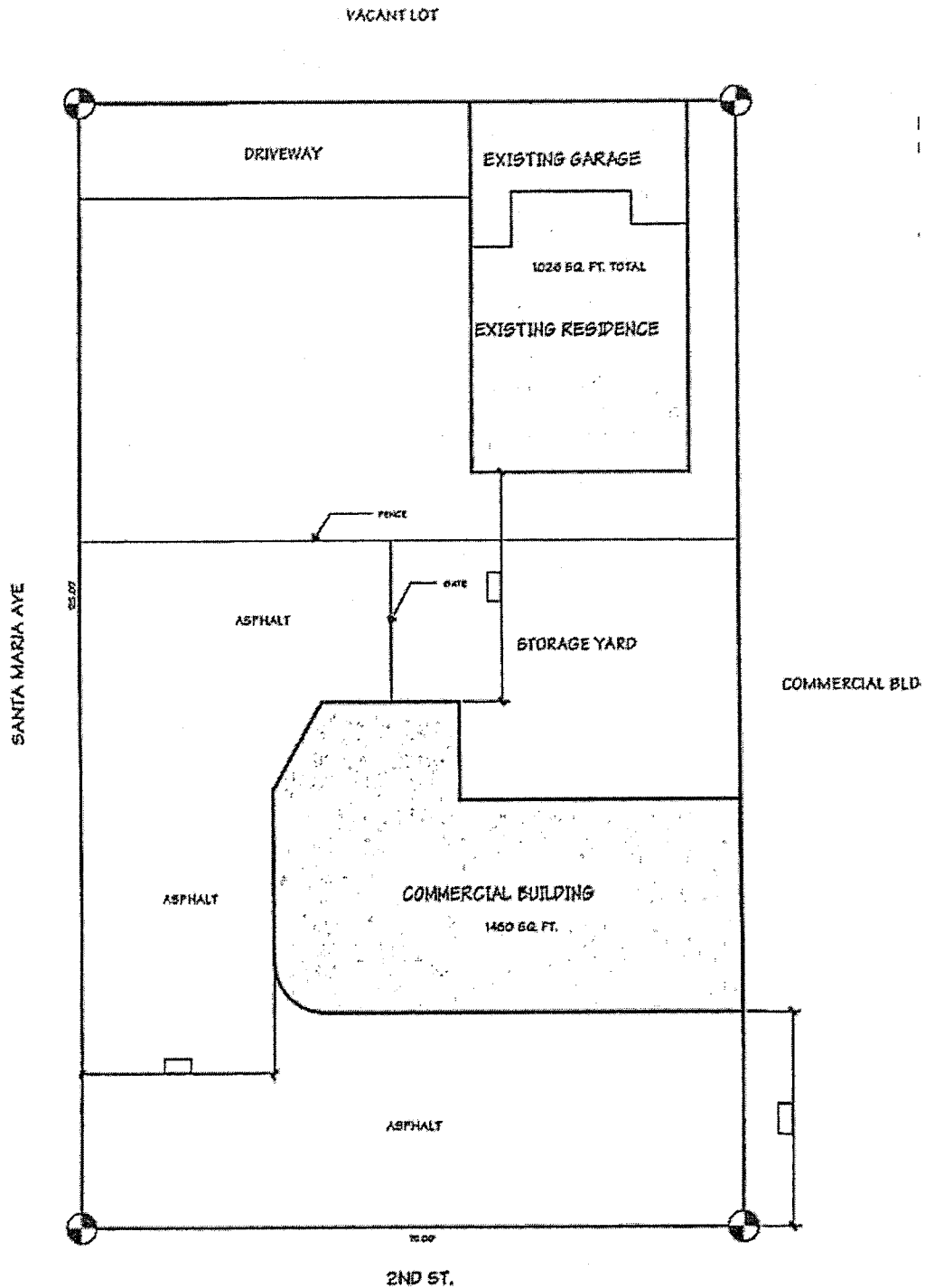


EXHIBIT

Site Plan

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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



EXISTING SITE PLAN

SCALE: 1/8" = 1'-0"

PROJECT

Minor Use Permit  
Benson/ DRC2003-00131

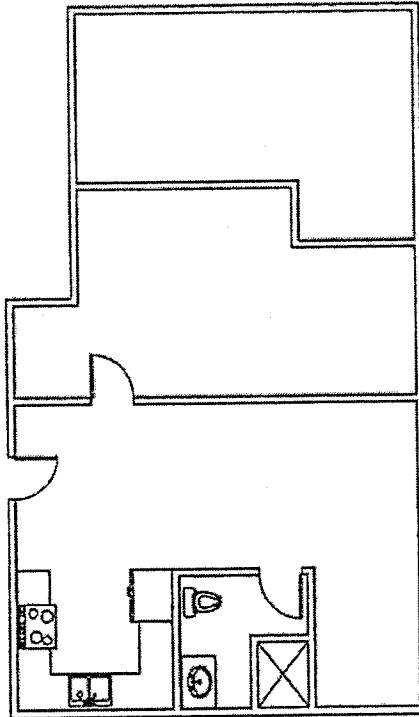
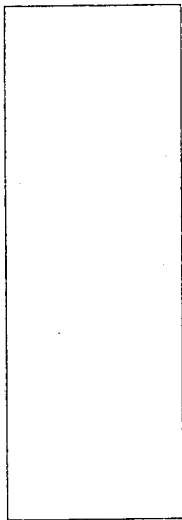


EXHIBIT

Existing Site Plan

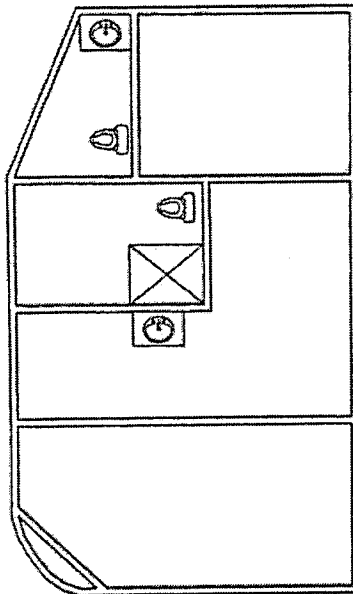
2-16

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



EXISTING RESIDENTIAL BLDG.

SCALE: 1/4" = 1'-0"



EXISTING COMMERCIAL BLDG.

SCALE: 1/4" = 1'-0"

PROJECT

Minor Use Permit  
Benson/ DRC2003-00131



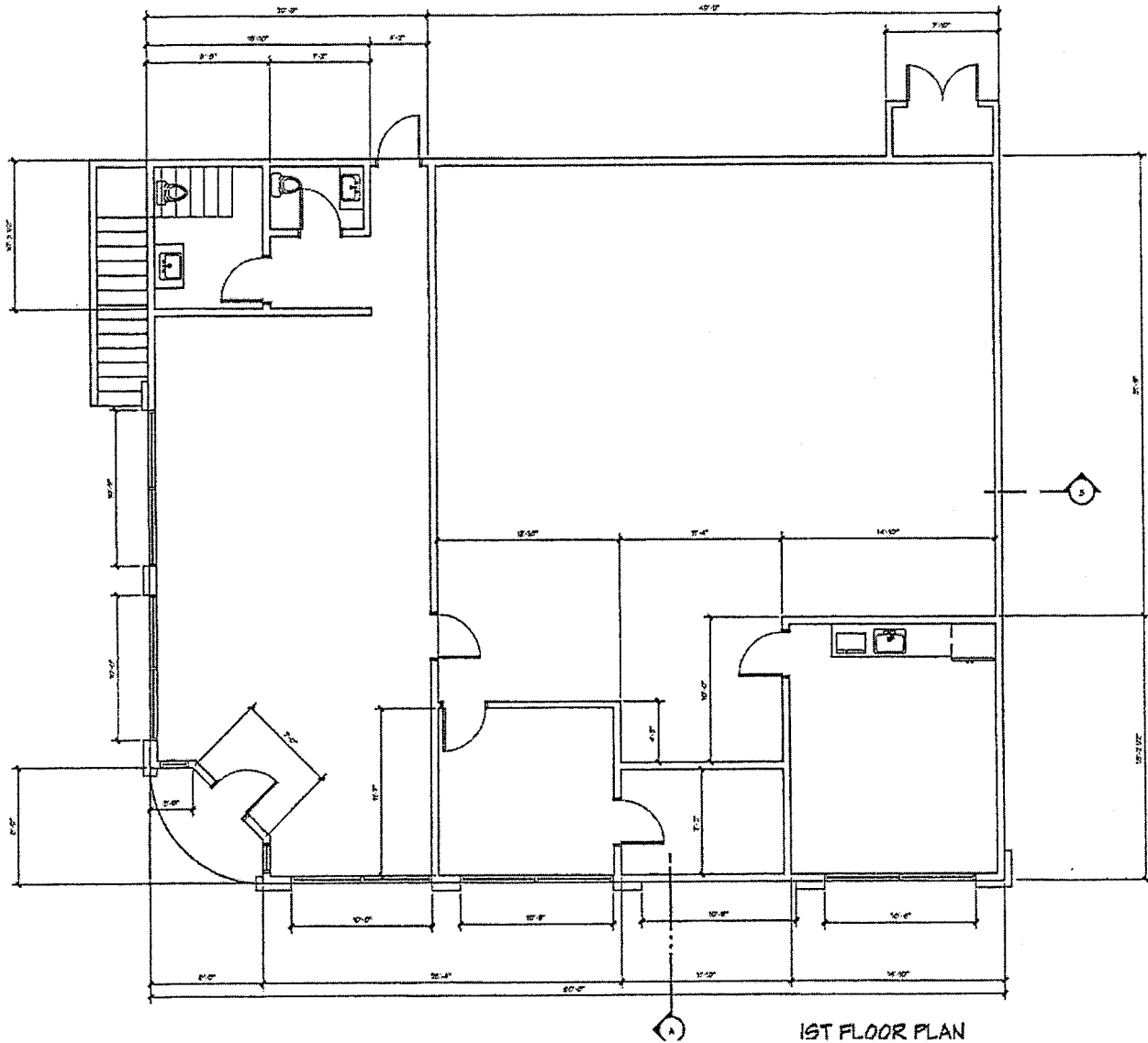
EXHIBIT

Existing Floor Plans



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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



PROJECT

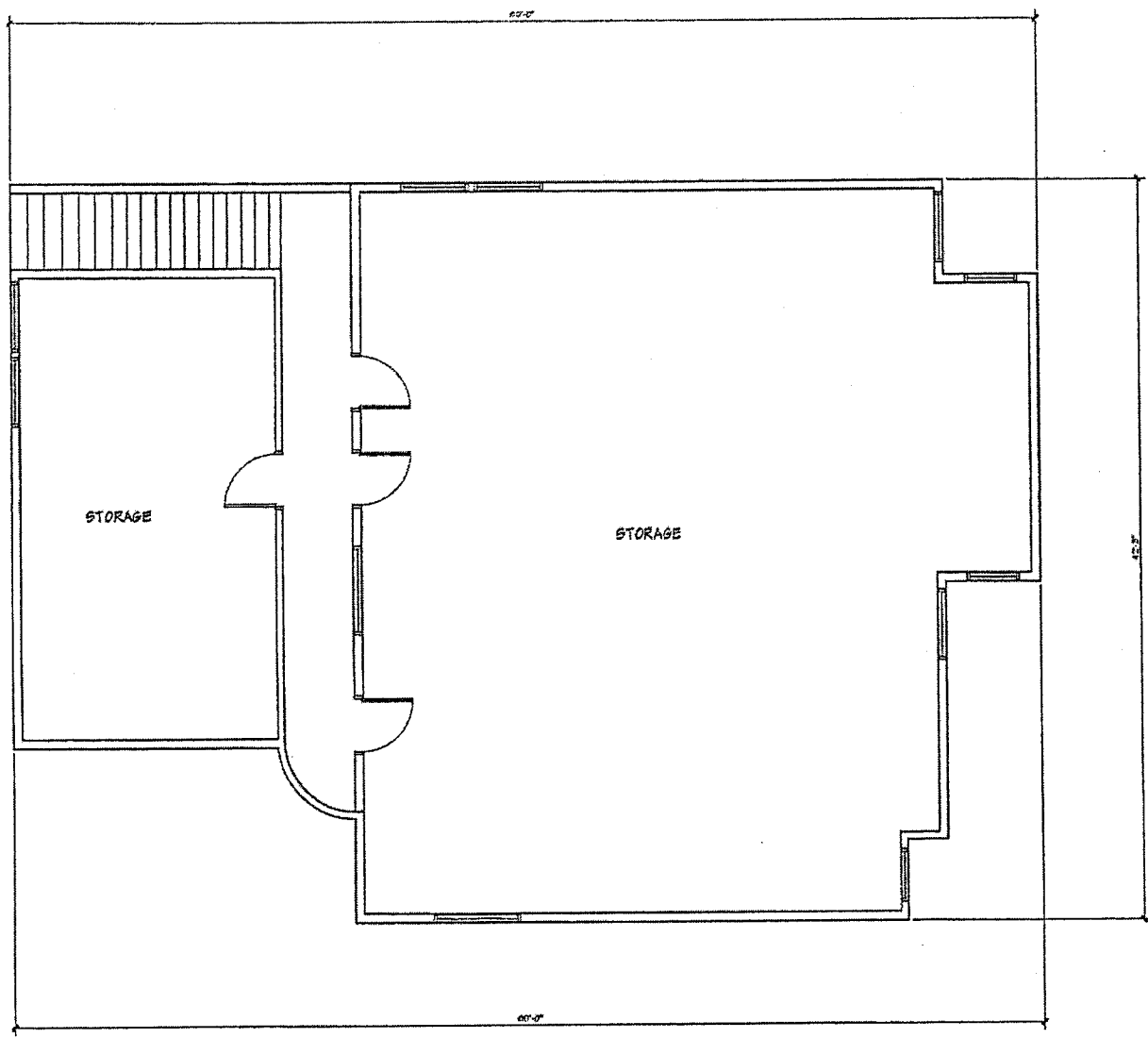
Minor Use Permit  
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EXHIBIT

First Floor Plan

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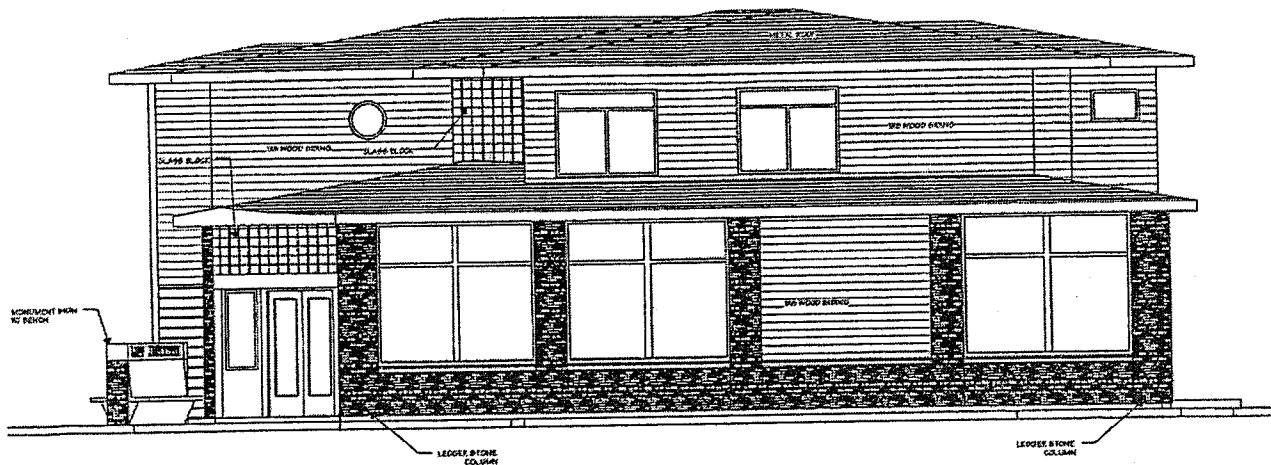
2ND FLOOR PLAN  
SCALE: 1/8" = 1'-0"

PROJECT  
Minor Use Permit  
Benson/ DRC2003-00131



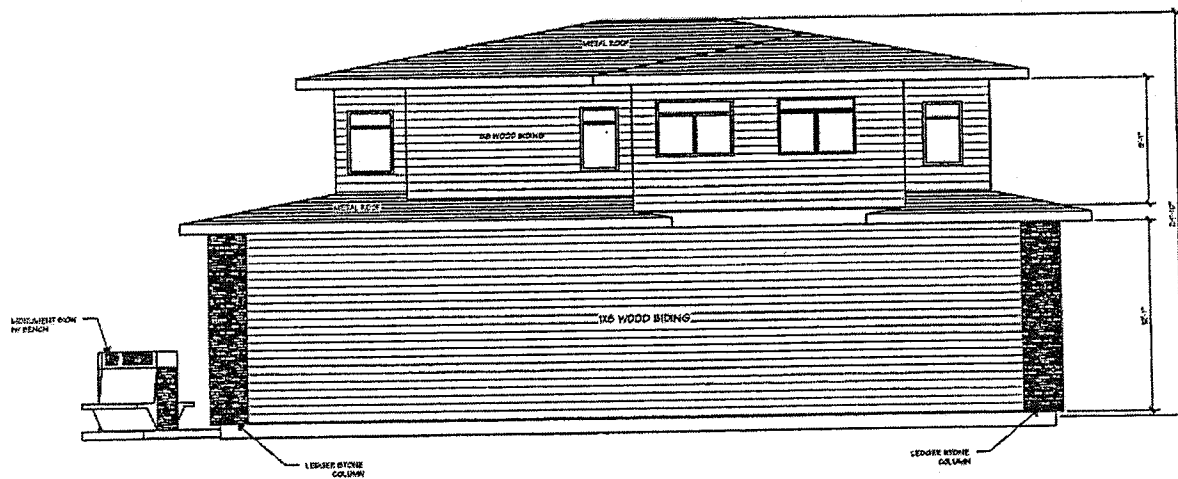
EXHIBIT  
Second Floor Plan

**SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING**



WEST ELEVATION

SCALE: 1/4" = 1'-0"



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

## PROJECT

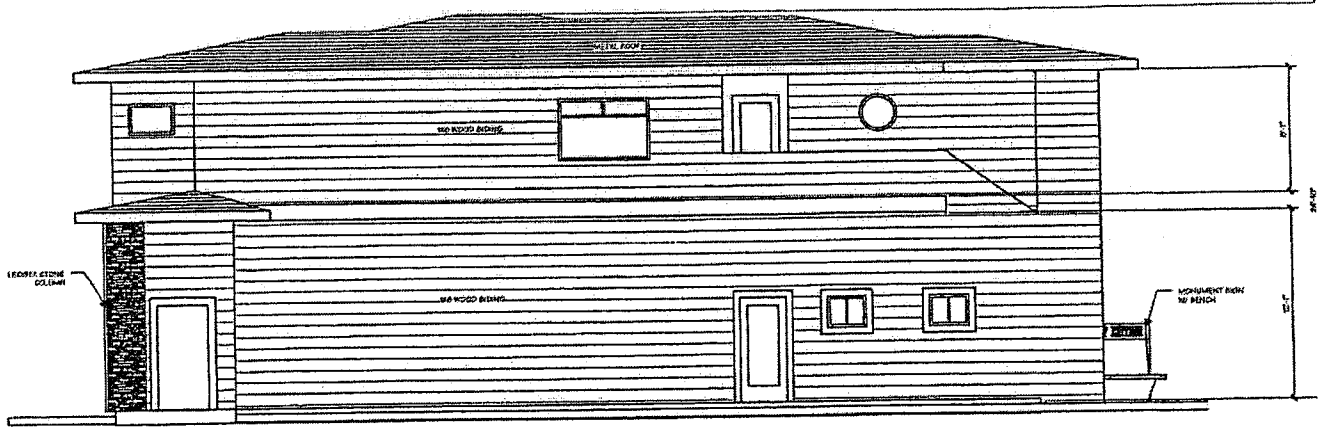
**Minor Use Permit**  
**Benson/ DRC2003-00131**



### West and South Elevations

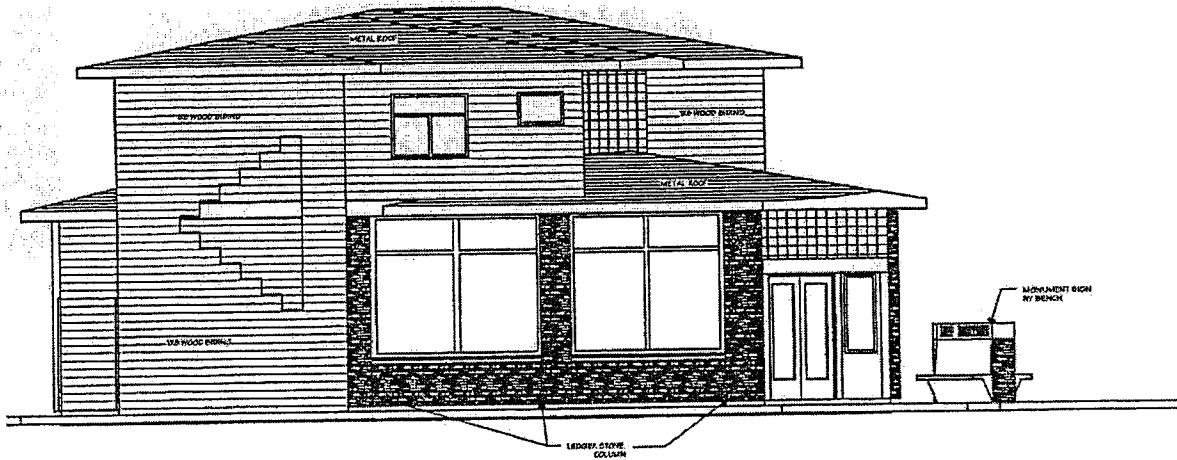
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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



EAST ELEVATION

SCALE: 1/4" = 1'-0"



NORTH ELEVATION

PROJECT

Minor Use Permit  
Benson/ DRC2003-00131



EXHIBIT

East and North Elevations



**COUNTY OF SAN LUIS OBISPO**  
**MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION**

FOR OFFICIAL USE ONLY (KB)

**ENVIRONMENTAL DETERMINATION NO. ED04-123**

**DATE: November 4, 2004**

**PROJECT/ENTITLEMENT:** Benson Minor Use Permit    DRC2003-00131

**APPLICANT NAME:** Olga Benson / Alex Benson  
**ADDRESS:** 1130 Garden Street, San Luis Obispo, Ca 93401  
**CONTACT PERSON:** Bob Semonsen

**Telephone:** 805-528-7289

**PROPOSED USES/INTENT:** A request to allow for the demolition of an existing residence and commercial building and establish an approximate 4,922 square foot commercial building, which will result in the disturbance of the entire 9,375 parcel.

**LOCATION:** The project is located at 1300 Second Street on the southeast corner of Santa Maria Street, in the community of Los Osos, in the Estero planning area

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
County Government Center, Rm. 310  
San Luis Obispo, CA 93408-2040

**OTHER POTENTIAL PERMITTING AGENCIES:** California Coastal Commission

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....5 p.m. on November 18, 2004**

**30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

**Notice of Determination**

**State Clearinghouse No. \_\_\_\_\_**

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ **Lead Agency**  
☐ **Responsible Agency** approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**

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**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

**Project Title & No.** Benson Minor Use Permit ED04-123 (DRC2003-00131)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation.
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kerry O'Neill *Brown*  
Prepared by (Print)

*Kerry O Brown*  
Signature

*10/22/04*  
Date

Steve McMasters *Steve McMasters*  
Reviewed by (Print)

Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

*10/23/04*  
Date

12-22

### **Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

### **A. PROJECT**

**DESCRIPTION:** Proposal by Alex Benson for a Minor Use Permit / Coastal Development Permit to allow for the demolition of an existing residence and commercial building and a new two story 4,922 square foot commercial building (2826 square foot commercial space on the first floor and 2096 square foot of storage space on the second floor). Total area of disturbance is 9375 square feet. The project is located on the southeast corner of Santa Maria and Second Street at 1300 Second Street side in the community of Los Osos, in the Estero planning area.

**ASSESSOR PARCEL NUMBER(S):** 038-182-001

**SUPERVISORIAL DISTRICT #** 2

### **B. EXISTING SETTING**

**PLANNING AREA:** Estero, Los Osos

**LAND USE CATEGORY:** Commercial Retail

**COMBINING DESIGNATION(S):** Coastal Appealable Zone, Coastal Special Community  
, Local Coastal Plan/Program, Archaeologically Sensitive

**EXISTING USES:** Commercial use , residence

**TOPOGRAPHY:** Nearly level

**VEGETATION:** Grasses

**PARCEL SIZE:** 9375 square feet

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Commercial Retail; undeveloped	<i>East:</i> Commercial Retail; undeveloped
<i>South:</i> Commercial Retail; commercial uses	<i>West:</i> Commercial Retail; commercial uses

## C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

### COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	<b>AESTHETICS - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located in the Baywood commercial area. This area is designated as a Coastal Special Community, new development shall be sited to complement and be visually compatible with the existing characteristics of the community. The neighborhood is characterized by small-scale commercial buildings. Although there are no two-story structures on the adjacent parcels, there are two story structures in this neighborhood. The second story is setback to better fit within context of the community. The architect and builder of the existing commercial building, Neil Wright also designed the two structures to the west and northwest of the site (the Merrimaker and the Baywood Grocery) certain architectural features were used in all three buildings: rounder entry way with glass blocks windows defined by a column of brick and a lintel above. To ensure compatibility with these existing structures the applicant has designed the new structure with these same features. The project will not be visible from any major public roadway.

**Impact.** No significant visual impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

## 2. AGRICULTURAL RESOURCES - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



2-25

## 2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The soil types include:

Baywood fine sand (9-15%)

As described in the NRCS Soil Survey, the "non-irrigated" soil class is "VI" , and the "irrigated soil class is "IV".

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.

## 3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District has developed the CEQA Air quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD). The existing commercial structure was built in 1948, asbestos was commonly used in construction during this time period.

**Impact.** As proposed, the project will result in the disturbance of approximately 9375 square feet.

This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. The demolition of the existing commercial structure could result in air quality impacts associated with asbestos

**Mitigation/Conclusion.** Prior to issuance of the demolition permit for the commercial structure, a certified asbestos consultant shall survey and remove any asbestos present in the structure and submit a letter with the findings to the Department of Planning and Building. If the building is determined to be unsafe, the applicant shall submit a work plan for removal of all asbestos to the Air Pollution Control District for review and approval.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Grasses Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: Arroyo de la Cruz manzanita (A. cruzensis)[FSC]  
Salt marsh bird's beak (C. m ssp maritimus)[FE,SE] Morro Manzanita, Obispo Indian Paintbrush, Jones's Layia, San Luis Obispo Monardella, Coulter's Goldfield, and Splitting Yarn Lichen are all located within a 1 mie radius of the property.

Wildlife: Monarch Butterfly, Cooper's Hawk, California Clapper Rail, Morro Bay Kangaroo Rat, California Brackishwater Snail, Tidewater Goby, and California Black Rail are all located within a 1 mile radius of the property.

Habitats: None

The subject site is in the range of the Morro shoulderband snail, a federally listed species. The site is completely covered by structures and pavement and does not support any habitat for the Morro shoulderband snail.

**Impact.** The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

**Mitigation/Conclusion.** No significant biological impacts are expected to occur, and no mitigation measures are necessary.

**5. CULTURAL RESOURCES -**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb pre-historic resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Disturb historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. The site does contain a commercial building built in 1948, as a service station in the Streamline Moderne style. The architect wanted the structure to look like a boat, other buildings adjacent (to the west and northwest) were also built in this style with similar architectural features of: rounded entry way with glass blocks windows defined by a column of brick and a lintel above. No paleontological resources are known to exist in the area.

**Impact.** The project site is located in an area that would be considered culturally sensitive. Due to limited visibility (from structures and pavement) a Phase I surface survey was not completed on the site, however a Cultural Resources records search (Parker and Associates, August 23, 2004) was completed. The records search found that there are known archaeological sites within 500 feet of the project site. Due to the close proximity of known resources on adjacent properties, there is greater than normal possibility to encounter buried isolated resources or artifacts, monitoring by a qualified archaeologist during grading and earth disturbing activities will address this potential impact and reduce it to a level of insignificance.

An historical resources evaluation (Car, August 2004) was prepared to determine if the existing commercial structure is historic. The evaluation found that the building is not historic for the following reasons: the building is not associated with any event or events of local, state, or national significance, the architect was not a master architect and not recognized for any important contributions to vernacular architecture, the building is of an ordinary style of construction and the materials used were of commonplace. Impacts to historical or paleontological resources are not expected.

**Mitigation.** The project will be required to incorporate the following measures to reduce potentially significant impacts to cultural resources to less than significant levels:

All grading and earth disturbing activities on the subject property shall be monitored by a qualified archaeologist. (See attached Developer's Statement)

**6. GEOLOGY AND SOILS -**  
*Will the project:*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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## 6. GEOLOGY AND SOILS -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines &amp; Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered high. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek from the proposed development is approximately 1.5 miles to the east. As described in the NRCS Soil Survey, the soil is considered well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address

measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff will have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** - The soil types include:  
Baywood fine sand (9-15%)

As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility, and low shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre (43,560 sq. ft.) of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

**Impact.** As proposed, the project will result in the disturbance of approximately 9375 square feet.

**Mitigation/Conclusion.** There is no evidence that measures above what will already be required by ordinance or code are needed.

## 7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The existing commercial building was used as a gasoline service station from 1948 until 1963. It is possible that hazardous substances leaked underground during this time. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

**Impact.** The site was examined in 1982, to determine if any hazardous substances leaked into the ground (Environmental Health letter), no hazardous materials were found and the site received clearance from the Department of Environmental Health. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

**Mitigation/Conclusion.** No impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels which exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences).

**Impact.** The project is not expected to generate loud noises, nor conflict with the surrounding uses.

**Mitigation/Conclusion.** No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create the need for substantial new housing in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Use substantial amount of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** In its efforts to provide for affordable housing, the county currently administers a Community Development block Grant Program, which provides grants to projects relating to affordable housing throughout the county.

The County will be considering an Inclusionary Housing Ordinance during fiscal year 2004/2005. While the outcome is pending, should the ordinance be approved, future commercial development will likely pay a fee towards securing affordable housing.

**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Cayucos or San Luis Obispo) is approximately 10.5 miles to the North and East. The closest Sheriff substation is in San Luis Obispo (Kansas Ave.), which is approximately 11 miles from the proposed project. The project is located in the San Luis Coastal Unified School District.

**Impact.** The project will not have any direct or cumulative impacts since the project is replacing an existing commercial structure and residence.

**Mitigation/Conclusion.** No significant public services or utility impacts are anticipated, and no mitigation measures are necessary.

<b>11. RECREATION - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

**Impact.** The proposed project will not create a significant need for additional park or recreational resources.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary.

<b>12. TRANSPORTATION/ CIRCULATION - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## 12. TRANSPORTATION/ CIRCULATION - *Will the project:*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

i) Other \_\_\_\_\_

**Setting.** Future development will access onto the following public roads Santa Maria and Second Street both streets are operating at acceptable levels. A referral was sent to Public Works. No significant traffic-related concerns were identified.

**Impact.** The project will not have any direct or cumulative impacts since the project is replacing an existing commercial structure and residence.

**Mitigation/Conclusion.** No significant traffic impacts were identified, and no mitigation measures are necessary.

## 13. WASTEWATER - *Will the project:*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) *Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?*

b) *Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?*

c) *Adversely affect community wastewater service provider?*

d) Other \_\_\_\_\_

**Setting.** The proposed project is located in the Los Osos, a 1983 water quality study of Los Osos/ Baywood Park area found nitrate concentrations in shallow groundwater generally greater than the maximum level allowable for drinking water set by the State of California. Pursuant to this finding, the Regional Water Quality Control Board imposed a prohibition on septic system discharge after November 1, 1988. The annual report of the Resource Management System (2001) identifies this sewage system as being in a Level III condition.

**Impact.** The new commercial building will not increase septic discharge at the site. The existing septic system currently serves both the residence and the commercial building. The new commercial structure will produce less septic discharge.

**Mitigation/Conclusion.** No special measures are needed and potential impacts are considered less than significant.

## 14. WATER - *Will the project:*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project proposes to use Los Osos Community Service District as its water source. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level. The closest creek from the proposed development is approximately 1.5 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

**Impact.** As proposed, the project will result in the disturbance of approximately 9375 square feet. Based on the project description, indoor water usage would likely decrease by .22 acre feet/year (AFY)

Existing = residence 0.33 + commercial building 0.11 = 0.44 afy  
Proposed = commercial (0.11 X 2) = 0.22 afy

*Note: Second floor storage was not included in calculation*

Source: "City of Santa Barbara Water Demand Factor & Conservation Study 'User Guide'" (Aug., 1989)

**Mitigation/Conclusion.** Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
----------------------------------	--------------	--------------------------	------------	----------------

1-2-35

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be potentially inconsistent with any habitat or community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be potentially incompatible with surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies. The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The proposed project is within the area proposed for a community-wide (for Los Osos) Habitat Conservation Plan area for protection of habitat for the Morro shoulderband snail. The project will not impact the Morro shoulderband snail and therefore be consistent with the community-wide habitat conservation plan.

**Mitigation/conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2-36

b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)*

☐☐☒☐

c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

☐☐☒☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "[www.sloplanning.org](http://www.sloplanning.org)" under "Environmental Review", or the California Environmental Resources Evaluation System at "[http://ceres.ca.gov/topic/env\\_law/ceqa/guidelines/](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/)" for information about the California Environmental Quality Act.

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## Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	Los Osos Community Service District	Attached
<input checked="" type="checkbox"/>	Other <u>Los Osos Community Advisory Council</u>	Attached
<input type="checkbox"/>	Other _____	Not Applicable

\*\* "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

### County documents

- ☐ Airport Land Use Plans
- ☒ Annual Resource Summary Report
- ☐ Building and Construction Ordinance
- ☒ Coastal Policies
- ☒ Framework for Planning (Coastal & Inland)
- ☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
  - ☒ Agriculture & Open Space Element
  - ☒ Energy Element
  - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
  - ☒ Housing Element
  - ☒ Noise Element
  - ☐ Parks & Recreation Element
  - ☒ Safety Element
- ☒ Land Use Ordinance
- ☐ Real Property Division Ordinance
- ☒ Trails Plan
- ☐ Solid Waste Management Plan

☐ Area Plan and Update EIR

☐ Circulation Study

### Other documents

- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Areas of Special Biological Importance Map
- ☒ California Natural Species Diversity Database
- ☒ Clean Air Plan
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other \_\_\_\_\_

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

**Cultural Resource Record Search (Parker and Associates, August 23, 2004)**

**Architectural Evaluation (Carr, August, 2004)**

## Mitigation Summary Table

**CR-1. Prior to issuance of construction permits,** the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:

- A. List of personnel involved in the monitoring activities;
- B. Description of how the monitoring shall occur;
- C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- D. Description of what resources are expected to be encountered;
- E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
- F. Description of procedures for halting work on the site and notification procedures;
- G. Description of monitoring reporting procedures.

**CR-2. During all ground disturbing construction activities,** the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigations as required by the Environmental Coordinator.

**CR-3 Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first,** the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

**AQ-1 Prior to issuance of the demolition permit for the commercial structure,** a certified asbestos consultant shall survey and remove any asbestos present in the structure and submit a letter with the findings to the Department of Planning and Building.

If the building is determined to be unsafe, the applicant shall submit a work plan for removal of all asbestos to the Air Pollution Control District for review and approval.

October 22, 2004

**DEVELOPER'S STATEMENT FOR  
BENSON MINOR USE PERMIT;  
ED01-123 DRC2003-00131**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

**Archaeological Monitoring**

1. **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
  - A. List of personnel involved in the monitoring activities;
  - B. Description of how the monitoring shall occur;
  - C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - D. Description of what resources are expected to be encountered;
  - E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - F. Description of procedures for halting work on the site and notification procedures;
  - G. Description of monitoring reporting procedures.

**Monitoring:** A monitoring report shall be submitted to the Department of Planning and Building for review and approval.

2. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigations as required by the Environmental Coordinator.



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**Monitoring:** Report will be submitted to the Department of Planning and Building for review and approval.

**Air Quality**

3. **Prior to issuance of the demolition permit for the commercial structure**, a certified asbestos consultant shall survey and remove any asbestos present in the structure and submit a letter with the findings to the Department of Planning and Building.

If the building is determined to be unsafe, the applicant shall submit a work plan for removal of all asbestos to the Air Pollution Control District for review and approval.

**Monitoring:** Letter will be submitted to the Department of Planning and Building for review and approval.

*The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.*

*Olga R. Benson*  
*John A. Benson*  
\_\_\_\_\_  
Signature of Owner(s)

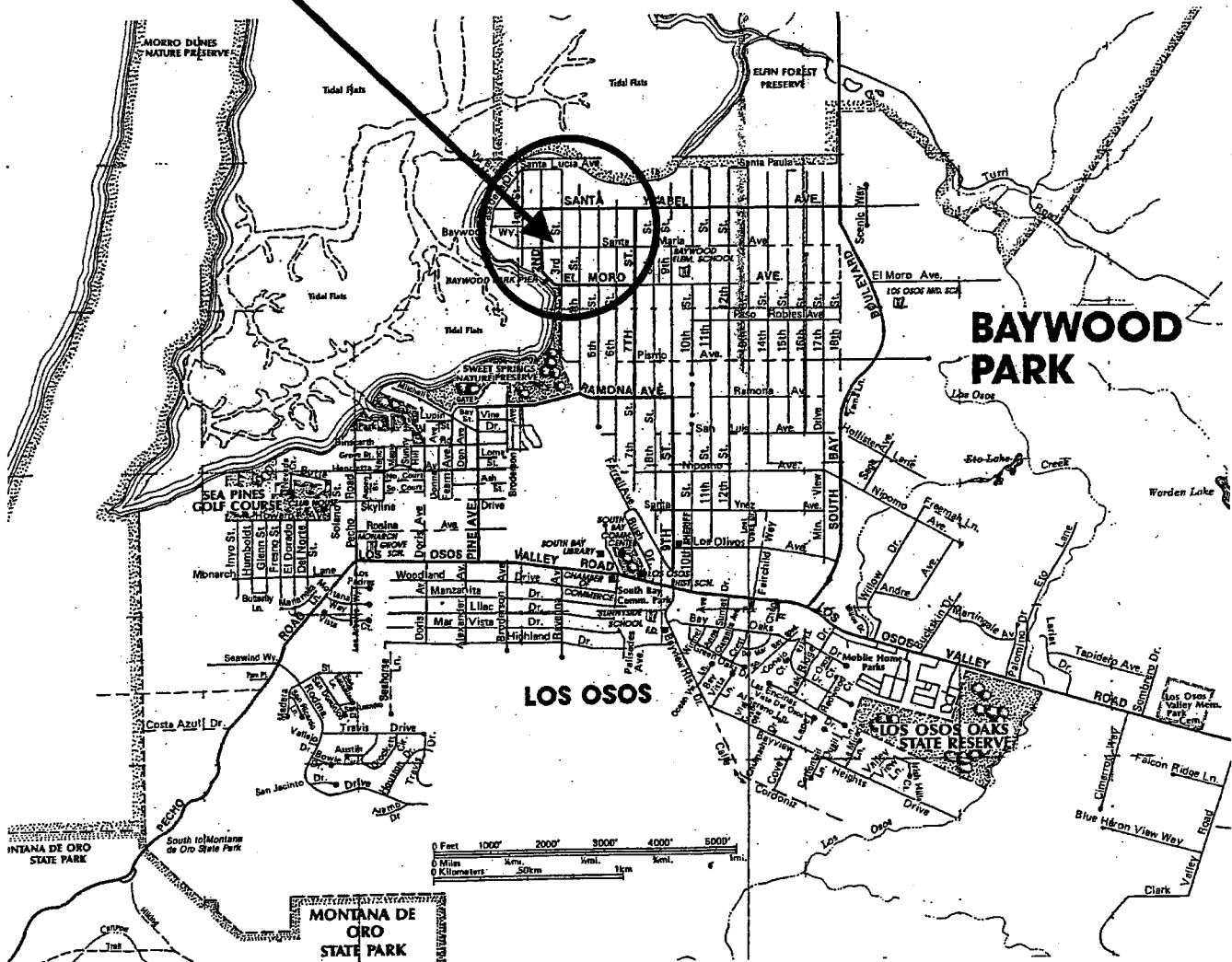
*10/23/04*  
\_\_\_\_\_  
Date

*John A. Benson OLGA R. BENSON*

\_\_\_\_\_  
Name of Owner - Print

1-2-47

Site



PROJECT

Minor Use Permit  
Benson/ DRC2003-00131

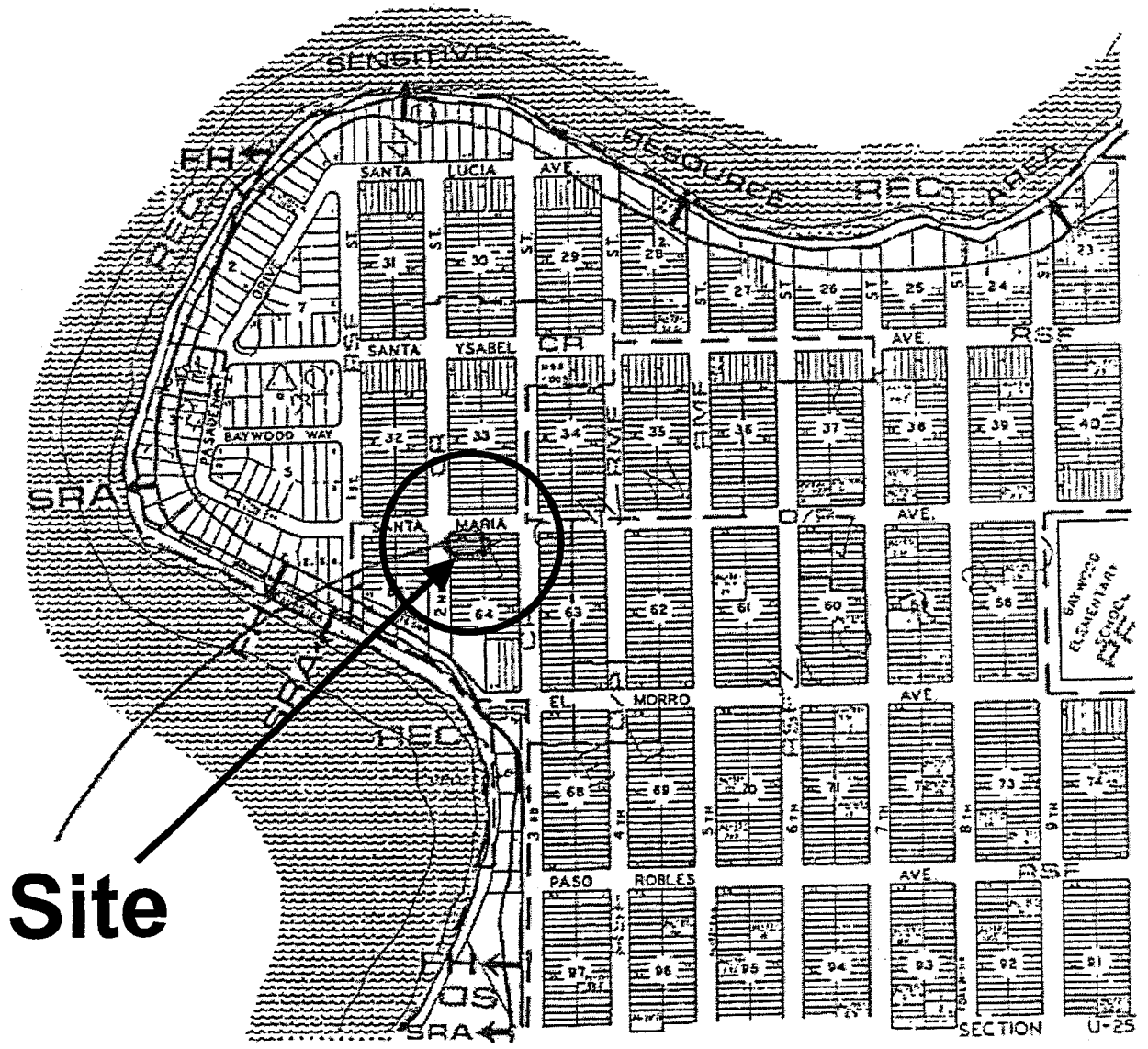


EXHIBIT

Vicinity Map

2-43

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



Site

PROJECT

Minor Use Permit  
Benson/ DRC2003-00131

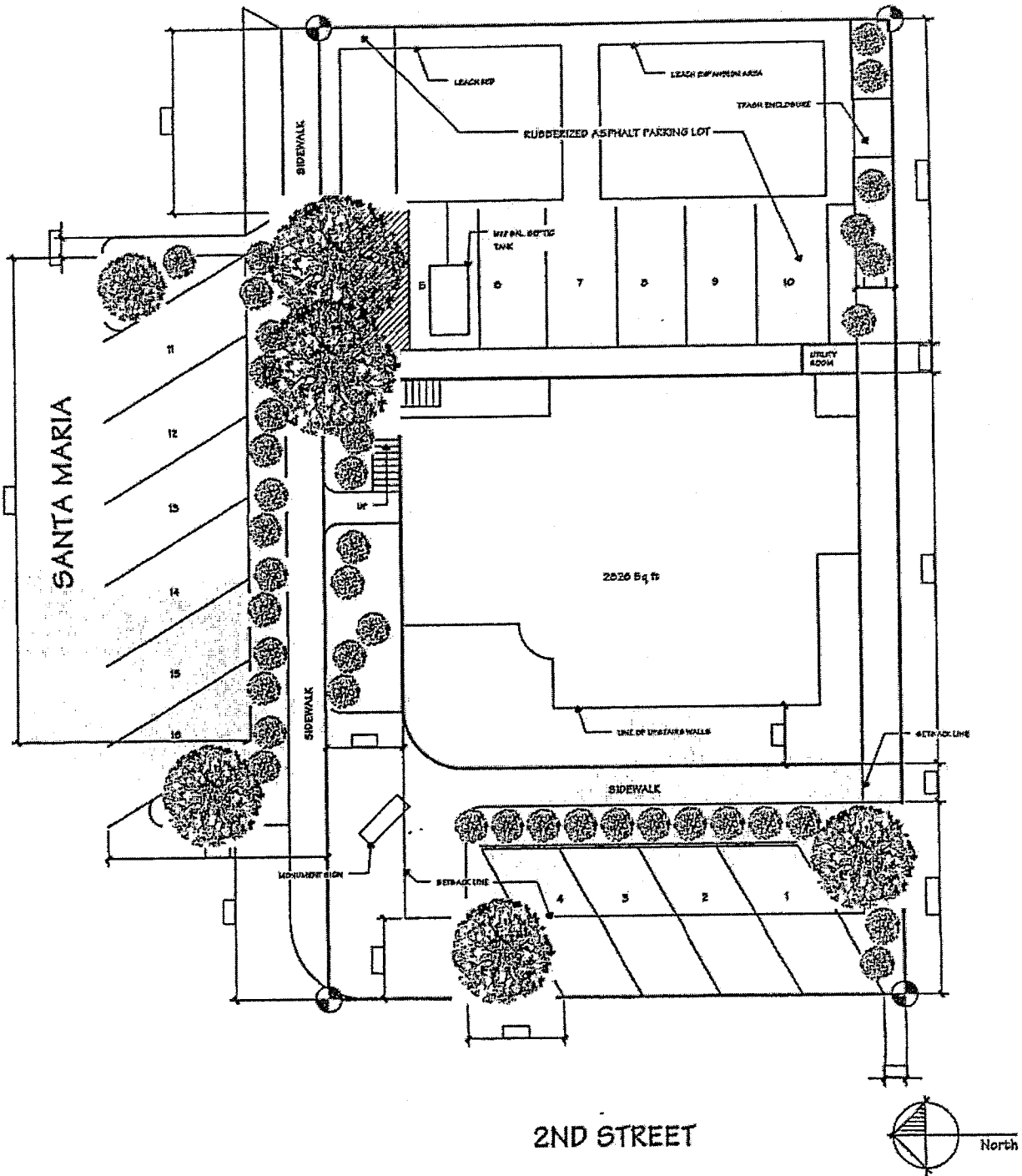


EXHIBIT

Land Use Category Map

1-2-44

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



PROJECT

Minor Use Permit  
Benson/ DRC2003-00131



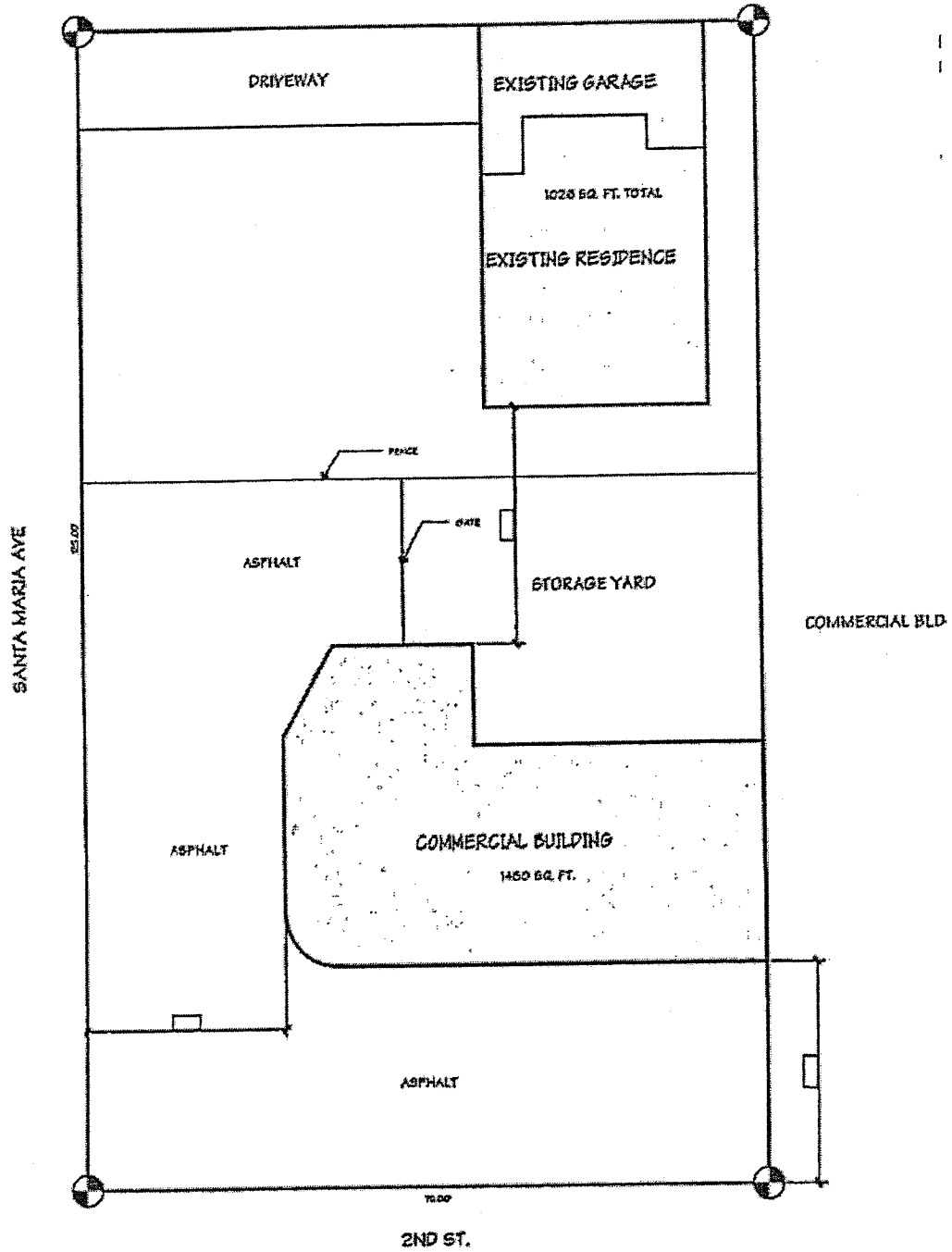
EXHIBIT

Site Plan

245

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VACANT LOT



EXISTING SITE PLAN

SCALE: 1/8" = 1'-0"

PROJECT

Minor Use Permit  
Benson/ DRC2003-00131

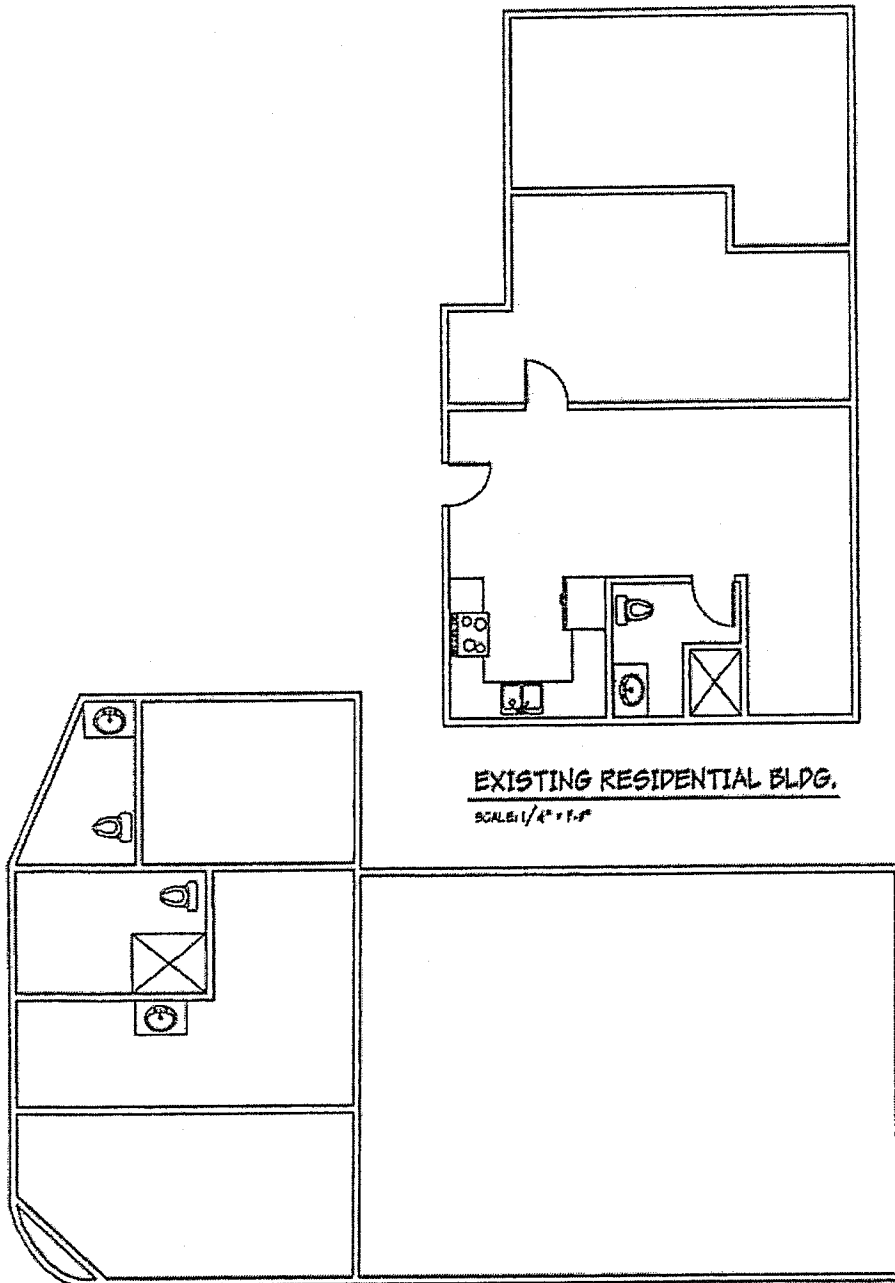


EXHIBIT

Existing Site Plan

246

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



EXISTING RESIDENTIAL BLDG.

SCALE: 1/4" = 1'-0"

EXISTING COMMERCIAL BLDG.

SCALE: 1/4" = 1'-0"

PROJECT

Minor Use Permit  
Benson/ DRC2003-00131

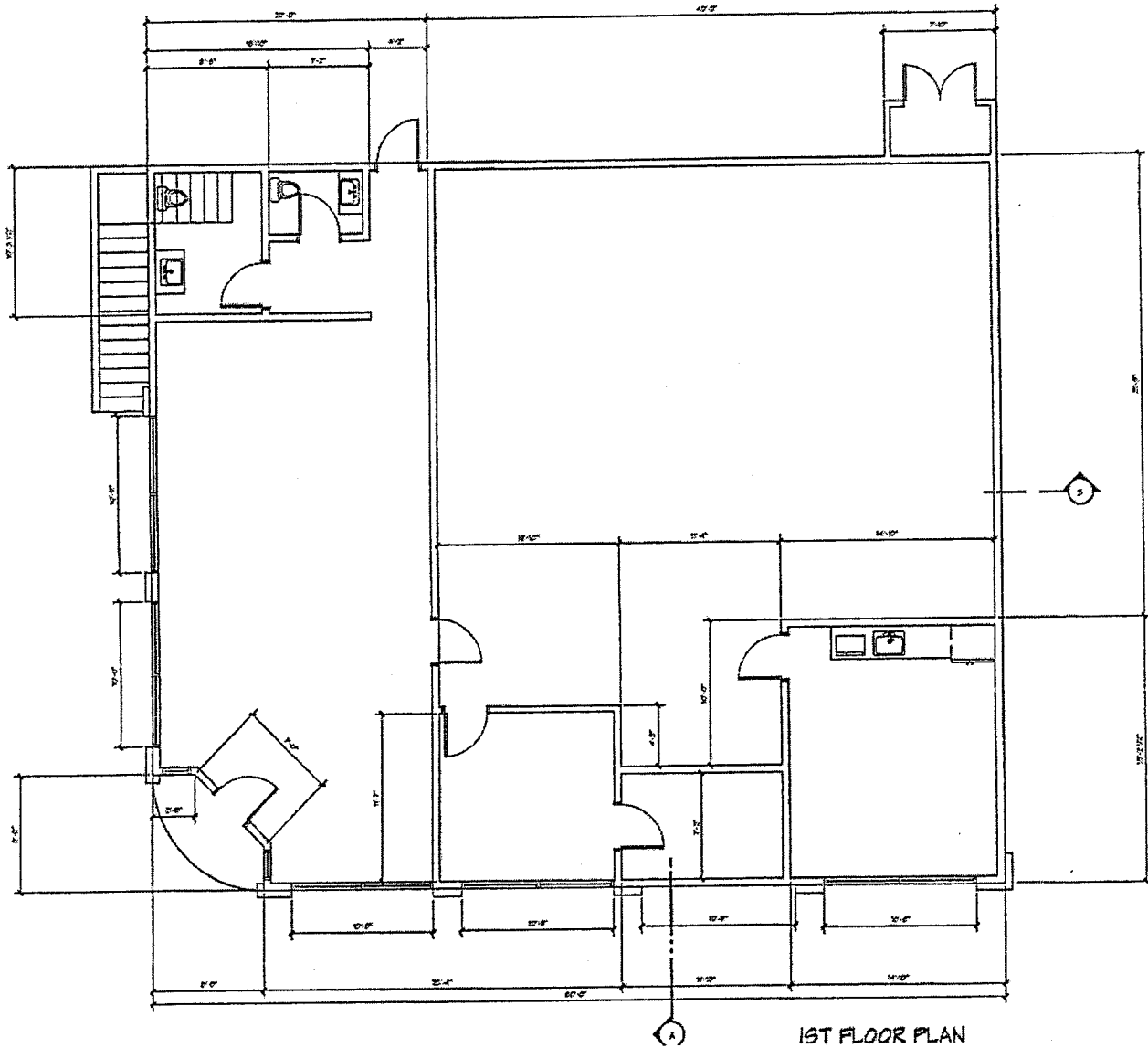


EXHIBIT

Existing Floor Plans

2-47-

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



PROJECT

Minor Use Permit  
Benson/ DRC2003-00131

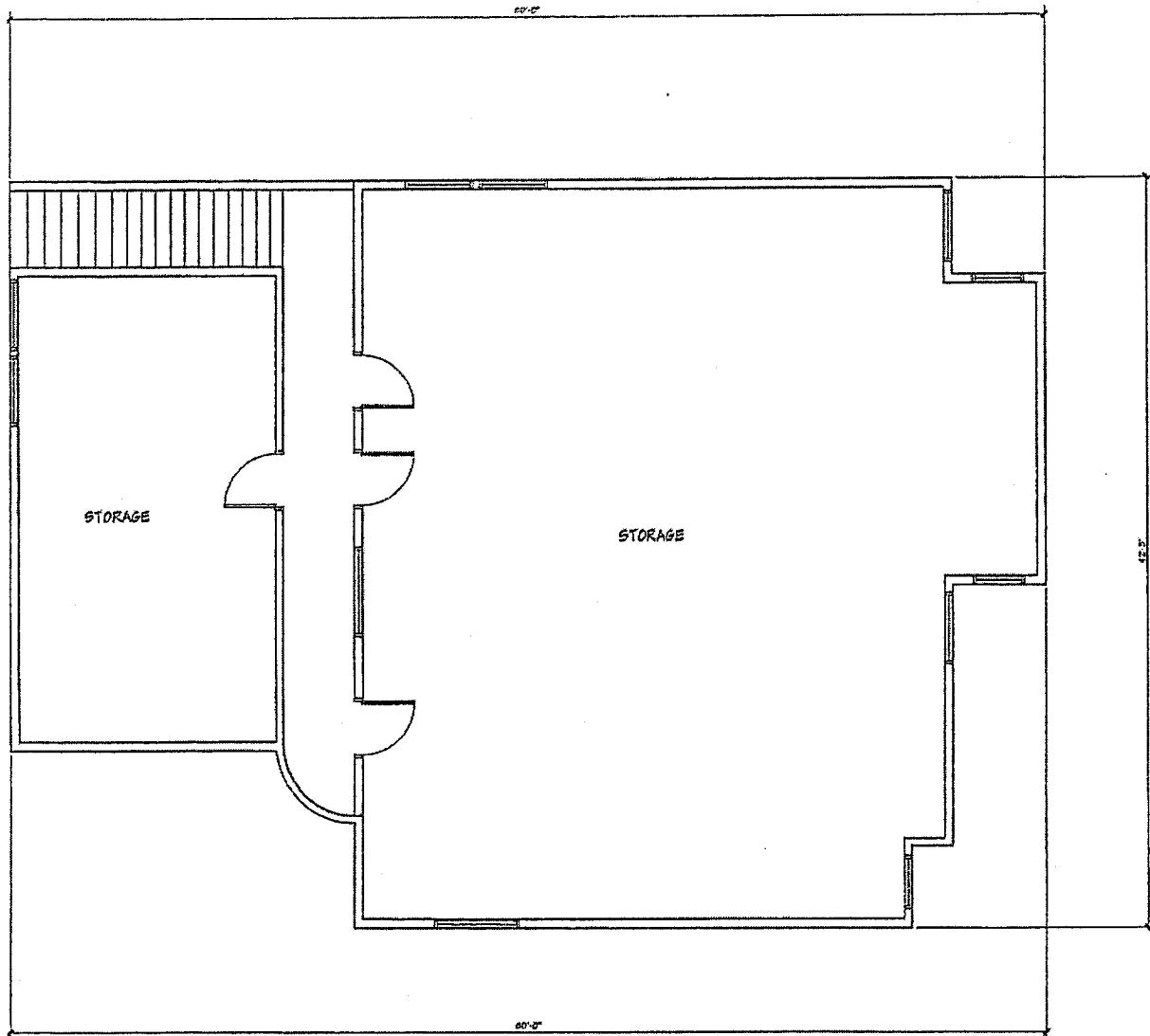


EXHIBIT

First Floor Plan

248

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



2ND FLOOR PLAN

SCALE: 1/8" = 1'-0"

PROJECT

Minor Use Permit  
Benson/ DRC2003-00131



EXHIBIT

Second Floor Plan



**SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING**



SCALE: 1/4" = 1'-0"



SCALE: 1/4" = 1'-0"

## PROJECT

**Minor Use Permit**  
**Benson/ DRC2003-00131**

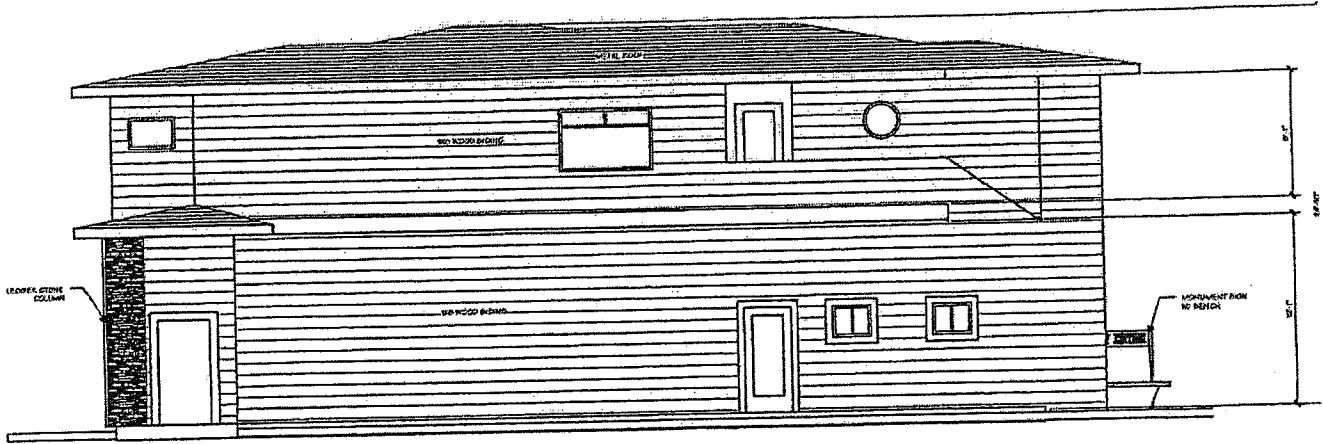


**EXHIBIT**

### West and South Elevations

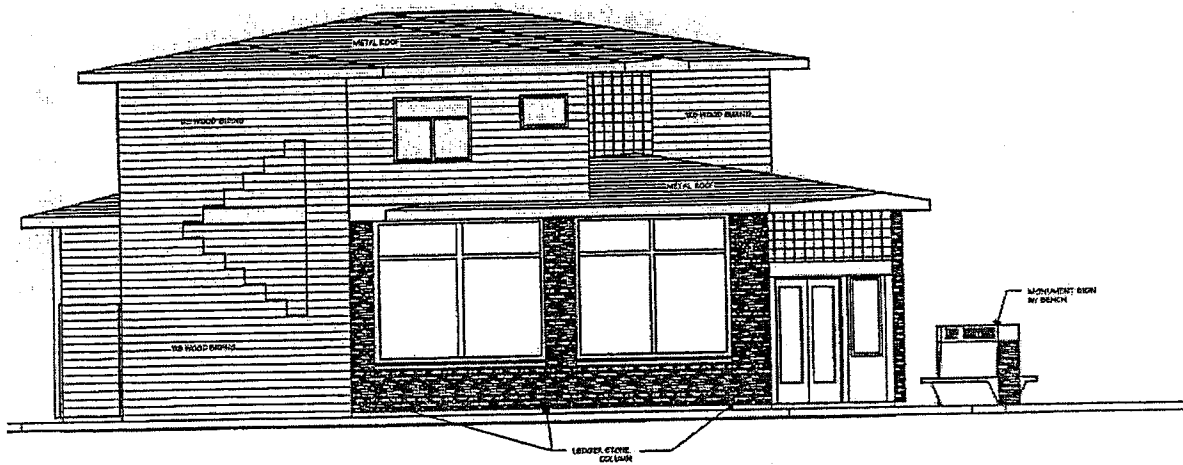
2-50

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



EAST ELEVATION

SCALE: 1/4" = 1'-0"



NORTH ELEVATION

PROJECT

Minor Use Permit  
Benson/ DRC2003-00131



EXHIBIT

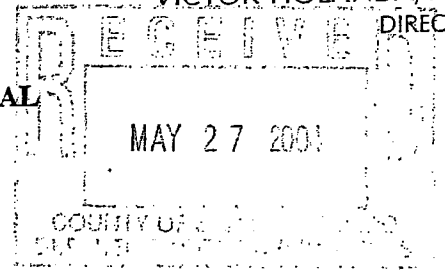
East and North Elevations



K.O.  
— 2-51 —  
SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE:

5/28/2004

FROM

PW

FROM  
LC

Coastal  
(Please direct response to the above)

Benson DRC-2003-006  
Project Name and Number

Development Review Section (Phone: 781-

788-2009 Taryn)

PROJECT DESCRIPTION:

Demo. existing bldg. and replace w/ 4922 sq. ft. bldg. w/ associated parking lot. Off Santa Maria Ave. in Los Osos. Commercial bldg.

Return this letter with your comments attached no later than:

6/12/2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓  
YES

(Please go on to Part II)

NO

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓  
NO

(Please go on to Part III)

YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - Santa Maria & 2nd Street widened to complete A-2 65th Section fronting the property. Encroachment Permit with 6 approved plans will be needed. Due to change in use/sq ft etc Los Osos Bond Fees may be due, they will be calc at time of Bldg Permit.

09 July 2004  
Date

Goodwin  
Name

5252  
Phone

**PROJECT REFERRAL  
COMMUNITY ADVISORY COUNCIL**

Date Referred: 5/28/2004

Project Planner/Manager: Coastal Team

The attached application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your community group, we are enclosing a copy of the project application and plan for your preliminary review and comment. Please comment on all issues that you see may be associated with this project.

You may want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant / agent are provided on the application form that is attached.

-Kerry O'Neill

**PROJECT INFORMATION**

File Number: PRC2003-00131 Applicant: Benson  
Request: remodel existing commercial bldg.

**STAFF COMMENTS**

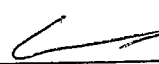
**C.A.C. COMMENTS** *The attached checklist is to help you with your review. You may choose to complete the checklist as your only response to this referral.*

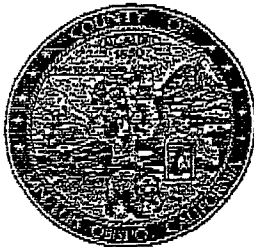
- ☐ We have received the referral on the above-referenced project and have no comments.  
☒ We have received the referral on the above-referenced project and have the following comments:

ACTION BY LOCAL HAS BEEN TABLED PENDING A COPY  
OF THE NEGATIVE DECLARATION. WILL BE PLACED  
ON FUTURE AGENDA

Please let us know the following:

- |   |                             |  |
|---|-----------------------------|--|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want to receive notice of the public hearing for the project?            |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want a copy of the staff report when the project goes to public hearing? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want to receive notice of the final action for the project?              |

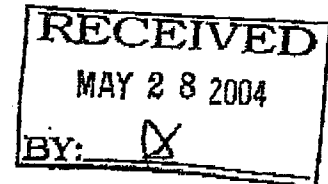
Date Referral Action Taken By Community Advisory Council: 8/26/04   
BILL GARFINKEL LOCAC  
528-5004



**253**  
**LUIS OBISPO COUNTY**  
**DEPARTMENT OF PLANNING AND BUILDING**

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE: 5/28/2004  
TO: LO CSP  
FROM: Coastal  
(Please direct response to the above)

Benson DRC-2003-006  
Project Name and Number

Development Review Section (Phone: 781- 788-2009 Taryn)

PROJECT DESCRIPTION: Demo. existing bldg. and replace w/ 4922 sq-ft. bldg. w/ associated parking lot. off Santa Maria Ave. in Los Osos. Commercial bldg.

Return this letter with your comments attached no later than: 6/12/2004

**PART I** IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?  
X YES (Please go on to Part II)  
NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

**PART II** ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?  
X NO (Please go on to Part III)  
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

**PART III** INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Upgrade water service to District Standards -  
install 6" pipe on 2nd E. Santa Maria as proposed  
in Water Master Plan 2002

6/10/04 Date  
[Signature] Name  
Utility Manager  
528-9376 Phone